

SECTION 2. PROJECT SUBMITTAL REQUIREMENTS

City of Chula Vista Municipal Code Section 14.20.120.A. makes it unlawful for any person not to comply with Best management Practices (BMPs) and pollution control requirements established by the City or other responsible agency to eliminate or reduce pollutants entering the City's storm drainage systems. It further provides that BMP requirements shall be complied with throughout the life of the activity. These storm water pollution prevention requirements, which are described in detail in the following sections are site specific and vary based on the project's potential impact on receiving water quality. The following procedures describe elements of the plan review and permitting processes for storm water BMP requirements. Figure 2.1, "Review and Approval Process for Development and Redevelopment Projects," demonstrates how construction and permanent storm water requirements are incorporated into projects requiring subdivision approvals, development permits, construction permits, or other approvals.

Public projects are also subject to the requirements of this Manual. This Manual is designed to address private development projects, projects by other public agencies, and the City' Capital Improvement Projects alike.

2.1 Determine Applicable Storm Water BMP Requirements

Prior to permit application submittal, applicants must complete applicable Forms 5500 through 5504A, included in Section 2.6, "Applicability Checklists and Forms", to determine their project's permanent and construction storm water BMP requirements. These forms must be completed for all permit applications, even if previous approvals exist. Projects that obtain their Grading, Construction, or Building Permit before March 24, 2010, are required to comply with the requirements of the NPDES Municipal Permit, Order No. R9-2007-0001 and the City of Chula Vista Development Storm Water Manual dated January 2008. Projects that obtain their Grading, Construction, or Building Permit on or after March 24, 2010, are required to comply with the requirements of the NPDES Municipal Permit, Order No. R9-2007-0001 and this Manual dated March 2010. The applicable forms must be completed, signed by the responsible party for the project, and submitted to the City with the permit application. For private projects, the project design must include all required permanent and construction BMPs in order for the application package to be deemed complete. For public projects, all required permanent and construction BMPs must be incorporated in the project design and the City project manager will be responsible to ensure that all permanent and construction BMP requirements are met.

2.1.1 Permanent Storm Water BMP Requirements

All development projects must include permanent control measures to reduce the discharge of storm water pollutants to the Maximum Extent Practicable (MEP). Compliance standards are different for Priority Development Projects and Non-Priority

Development Projects. Non-Priority Development Projects shall meet Standard Requirements described in Section “a” below, while Priority Development Projects are required to comply with Section “b”.

a. Standard Requirements. Projects subject to Standard Requirements (projects that are not Priority Development Projects) must incorporate all applicable permanent BMPs included in Form 5501 and Section 6 of this Manual “Standard Permanent Best Management Practices” into the project design. Refer to Section 2.2, “Prepare & Submit Appropriate Plans,” for guidance in the BMP design process.

Applicants for such projects shall complete, sign, and submit Form 5501 together with their project application package.

In general, for projects that are not Priority Development Projects, compliance with BMP requirements will include:

- i. Implementation of Source Control BMPs as listed on Form 5501.
- ii. Inclusion of Low Impact Development (LID) Site Design BMPs that conserve natural features, set back development from natural water bodies, minimize imperviousness, maximize infiltration, and retain and slow runoff.
- iii. Compliance with requirements for construction-phase controls on sediment and other pollutants.
- iv. Compliance with any additional controls appropriate to the project, which may include Treatment Control BMPs. LID Site Design BMPs such as infiltration or bioretention are preferred. If treatment facilities are included, provisions must be made to ensure their long-term maintenance.

b. Priority Development Project Requirements. Priority Development Projects must incorporate all applicable requirements included in the project’s Water Quality Technical Report, as approved by the City, into the project design. This includes Low Impact Development Site Design, Source Control, Treatment Control, Hydromodification Management Controls, as well as other BMPs applicable to individual priority project categories. If a Priority Development Project meets more than one priority project category definition, the project is subject to all BMPs applicable to individual priority project categories that apply. For example, if a project proposes to build 50 attached residential units and a 6,000 square foot restaurant with a 70-space surface parking lot, the project would be subject to the individual priority project category BMP requirements for “Attached Residential Development,” “Restaurants,” and “Parking Lots”. Refer to Section 2.2, “Prepare & Submit Appropriate Plans,” for guidance in the permanent BMP design process.

Developers of Priority Development Projects shall prepare and submit to the City a Water Quality Technical Report (WQTR) in accordance with Section 4 of this Manual.

c. Application for a Change in Land Use Type. The City requires applications for a change in land use type on existing developments, such as conversion of apartment units to condominiums, or a residential unit to a restaurant, to comply with Priority Development Project requirements, even if the proposed change does not include adding or replacing impervious areas. For such projects, the City will take into consideration limiting factors for implementing BMPs on existing developments.

2.1.2 Construction Storm Water BMP Requirements

All development projects must comply with applicable standards included in Section 7, "Construction Storm Water Performance Standards," as appropriate depending upon site conditions, season, project design, and construction methods. Refer to Section 2.2, "Prepare and Submit Appropriate Plans," for guidance to ensure construction BMP performance standards are met.

2.2 Prepare and Submit Appropriate Plans

After determining the general categories of storm water requirements that apply to the project in Section 2.1, "Determine Applicable Storm Water BMP Requirements," (e.g., Standard Requirements, Priority Development Project Requirements, and/or Construction Storm Water BMP Requirements), refer to the instructions in this section to determine what analysis and/or specific BMP requirements must be provided and/or incorporated into the project. Projects are only required to provide applicable BMPs. For example, an attached residential development project subject to the Priority Development Project requirements would not have to meet the "private road" requirements in this Manual if no private roads are proposed. The City may approve alternatives to the BMP requirements in this Manual if said alternatives are applicable and equally effective at the City's discretion.

2.2.1 Permanent Storm Water BMPs

Non-Priority Development Projects are subject to Standard Requirements for permanent storm water BMPs as described in Section 2.2.1.a. Priority Development Projects shall meet SUSMP requirements described in Section 2.2.1.b. Further details regarding project submittals are discussed in Sections 3 to 8 of this Manual.

a. Standard Requirements Development Projects not falling under any of the Priority Development Project categories are subject to Standard Permanent Best Management Practices requirements described in Section 6 of this Manual. Applicants for such projects shall complete and sign Form 5501 and submit the completed form with their application package to the City. Applicable permanent BMPs identified on Form 5501 shall be incorporated into the project plans prior to submittal, regardless of project type. Also, additional analysis or information may be required by the City to enable staff to determine the adequacy of proposed BMPs, and will be requested through the project review process. Applicable permanent BMPs shall be implemented and be functional

prior to the final inspection, issuance of a certificate of occupancy, bond release, or similar events.

Standard Permanent Best Management Practices typically include a combination of Low Impact Development Site Design BMPs, Source Control BMPs, and BMPs applicable to individual project categories.

b. Priority Development Project Requirements Development projects falling under any of the Priority Development Project categories are subject to the Standard Urban Storm Water Mitigation Plans (SUSMP) requirements described in Section 3. Applicants for such projects shall prepare and submit a Water Quality Technical Report as described in Section 4 of this Manual. Applicable permanent BMPs identified in the Water Quality Technical Report shall be incorporated into the project plans prior to submittal, regardless of project type. Also, additional analysis or information may be required by the City to enable staff to determine the adequacy of proposed BMPs, and will be requested through the project review process. Applicable permanent BMPs shall be implemented and be functional prior to the final inspection, issuance of a certificate of occupancy, bond release, or similar events.

Permanent Best Management Practices for Priority Development Projects typically include a combination of Low Impact Development Site Design BMPs, Source Control BMPs, Treatment Control BMPs, and Hydromodification Control BMPs. Applicants for Priority Development Projects are required to demonstrate that implemented permanent BMPs will be maintained into perpetuity as described in Section 8. This may involve developing an Inspection, Operation, and Maintenance Plan (IOMP) and signing a maintenance agreement with the City that identifies the responsible party for the maintenance of BMPs and a funding mechanism.

2.2.2 Construction Storm Water BMPs

Section 7 “Construction Storm Water Performance Standards” describes construction site management requirements and sets out performance standards that construction sites are required to meet. Typical erosion control, sediment control, and materials management BMPs are listed, however, more extensive discussions of construction storm water BMPs are available in references included in Section 5. All construction projects must identify their construction BMPs to be implemented in accordance with performance standards in Section 7 and submit applicable forms and documents.

Construction Storm Water BMP requirements vary for different projects depending on their land disturbance area. Sections 2.2.2.a and 2.2.2.b discuss different requirements.

a. Construction Projects Disturbing One or More Acre If a project disturbs one or more acre of land, the applicant must comply with the requirements of Order No. 2009-0009-DWQ of the State General Construction Permit for Storm Water Discharges Associated with Construction Activity (State General Construction Permit), or its subsequent re-

issuances. Concurrent with filing all Permit Registration Documents with the State Water Resources Control Board, the applicant is required to prepare a Storm Water Pollution Prevention Plan (SWPPP), which identifies all applicable construction BMPs. A copy of the project's SWPPP shall be submitted to the City of Chula Vista for review and comment during the project's review process. Additionally, and consistent with the State General Construction Permit, all construction projects are required to comply with erosion and sediment control requirements of Section 7, and implement good housekeeping BMPs, site management, and materials management practices.

b. Construction Projects Disturbing Under 1 Acre For construction projects that disturb less than one acre of land, the applicant must submit with the project submittal, a completed and signed Construction Storm Water Management Plan (CSWMP), which identifies all construction BMPs required by Section 7. The CSWMP shall depict the BMPs to be implemented during construction to minimize/eliminate discharges of pollutants to the storm drainage system. The CSWMP shall include, but not be limited to, erosion and sediment control BMPs, good housekeeping BMPs, site management, and materials management (See Forms 5504A and 5504B in Section 2.6 of this Manual).

Plans and supporting documents prepared in accordance with this Manual shall be submitted to the City for review (See Section 2.3).

2.3 Determine Adequacy of Proposed Plans

The City will review submitted plans and documents for compliance with applicable storm water requirements contained in this Manual. The City may approve proposed alternatives to BMP requirements in this Manual if said alternatives are determined by the City to be applicable and equally effective. The City may require additional analysis or information to enable staff to determine the adequacy of proposed BMPs. After all storm water requirements have been approved by the City, the applicant is directed to proceed to Section 2.4 to assure implementation and maintenance of the approved BMPs through permit conditions, plan notes, or maintenance agreements.

2.4 Assure Implementation and Maintenance of BMPs

Applicants must provide assurances that permanent storm water BMPs will be constructed and maintained throughout the life of a development project, and that construction BMPs will be implemented and maintained until construction is complete and the project site is stabilized. Construction and permanent BMP requirements, as described below, must be assured during the development project's review processes. Refer to Section 8, "Implementation and Maintenance Requirements," to determine how construction and permanent BMP implementation and maintenance will be assured.

2.4.1 Private Development Projects

Permanent structural storm water BMPs, as developed pursuant to the requirements of this Manual and as approved by the City, shall be incorporated into the project design, be shown on the plans prior to the issuance of any permits, and be constructed prior to the final inspection, issuance of a certificate of occupancy, bond release, or similar events. Such structural BMPs shall be inspected and maintained throughout the life of the project in accordance with Section 8 of this Manual. Priority Development Projects shall prepare and submit an Inspection, Operation, and Maintenance Plan (IOMP) for all permanent structural treatment BMPs in accordance with Section 8 of this Manual.

Permanent non-structural BMPs, as identified in project submittals, shall be implemented into perpetuity.

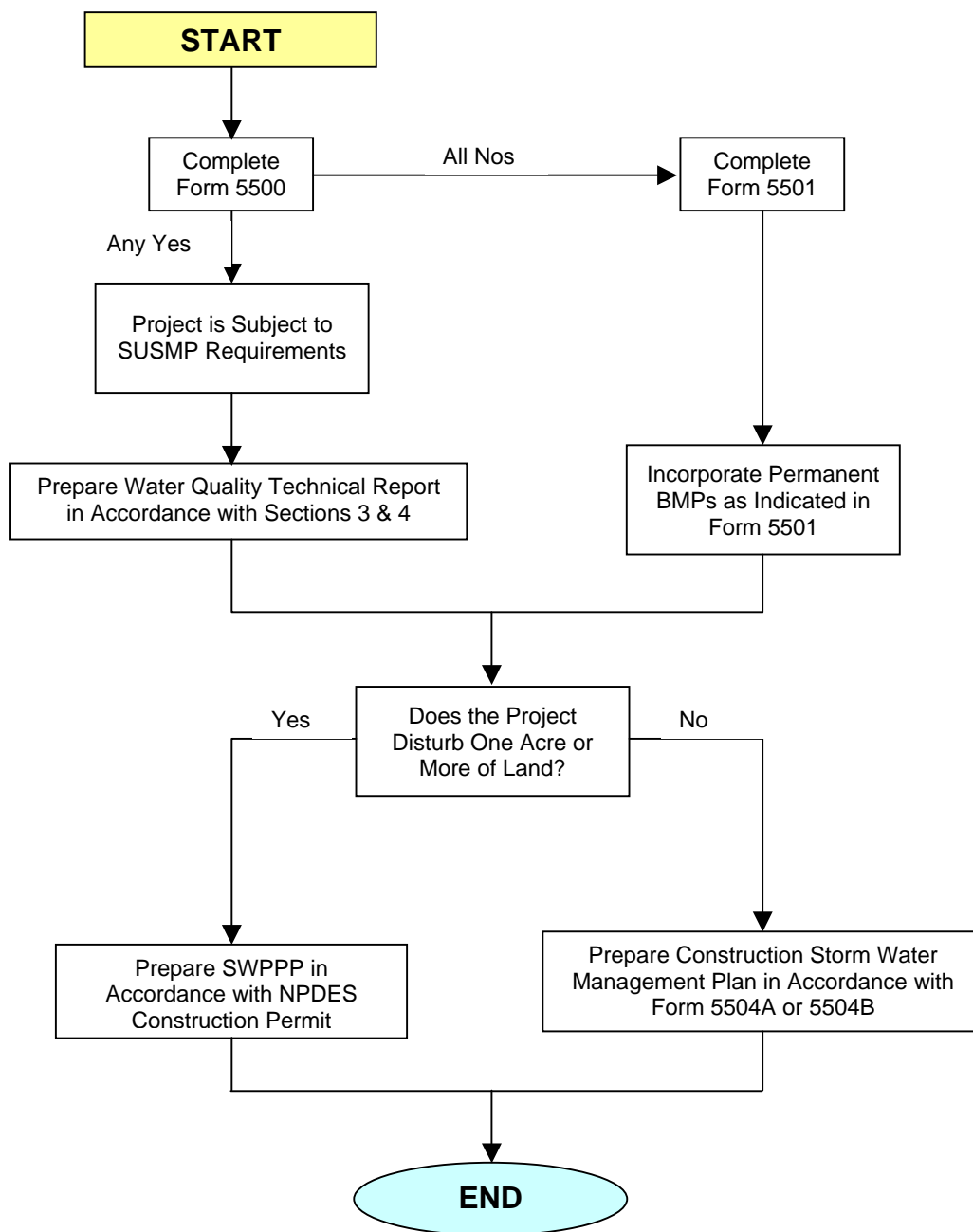
Construction BMPs shall be implemented and maintained as identified in the project's SWPPP or Form 5504A, or as directed by a City inspector.

Non-compliance with any of the above requirements will constitute a violation of Chula Vista Municipal Code Chapters 14.20 and 15.04, and may subject the responsible person to enforcement action.

2.4.2 Public Development Projects

For public projects, permanent BMP requirements will be incorporated into the project design and shown on the plans. A signature on all final plans by the person In Responsible Charge will signify compliance with permanent BMP requirements. The City will maintain all permanent BMPs on public projects.

Construction BMPs will be described in the project's SWPPP or Form 5504B, as applicable. Public project contract documents will include provisions that require the contractor to implement and maintain construction BMPs in accordance with this Manual.

2.5 Project Submittal Process Flow Chart

The State Water Resources Control Board requires certain types of industrial facilities to obtain coverage under the NPDES General Permit for Discharges of Storm Water Associated with Industrial Activities (Order No. 97-03-DWQ). If your proposed project includes industrial activities, please contact the San Diego Regional Water Quality Control Board at (858) 467-2952 for more information.

2.6 Applicability Checklists and Forms

Please refer to the following pages for Applicability Checklists and Forms.

Forms in this section include:

Form 5500 – Permanent Storm Water BMPs Applicability Checklist

Form 5501 – Standard Permanent BMPs Requirements

Form 5502 – Storm Water Treatment BMPs Inspection and Maintenance Certification

Form 5504A – Construction Storm Water Management Plan (CSWMP) Guidelines for
Private Development

Form 5504B – Construction Storm Water Management Plan (CSWMP) Guidelines for
Public Projects